

REMARKS

Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 are pending in the current application, with claim 44 being newly presented for examination by this Amendment. Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, and 37 currently stand rejected, and claims 1, 16-18, 20, and 21 have been amended. Reconsideration and withdrawal of the rejections to claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, and 37 are respectfully requested in light of the preceding amendments and following remarks.

Examiner Interview

Applicants thank the Examiner for her time and consideration during the interview of September 11, 2009. During the interview, the parties discussed proposed amendments to the independent claims to clarify subject matter over the Kato and Sato references applied in the subject application. Particularly, Applicants suggested amending the claims to recite "the playlist file including path number information identifying a number of the playback path." The Examiner agreed that this amendment would require further consideration of the Sato reference and/or a further search. Applicants have amended the claims as presented in the interview, with one exception. The Examiner pointed to a previously-unapplied reference, US Patent 5,819,003 to Hirayama et al. as potentially teaching playback path number information. Applicants respectfully submit that the claims have been further amended to clarify that

the path number information identifies “which playback paths are associated with the playlist” in order to further overcome Hirayama, which, although yet unapplied, does not teach playlist association in its FIG. 9B.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat 5,884,004 to Sato et al. (“Sato”) in view of US Pat Pub 2002/0145702 to Kato et al. (“Kato”). Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, Applicants note that this claim has been amended to recite “the playlist file including path number information identifying **which playback paths** are associated with the playlist.” Applicants submit that Kato does not teach (and is not applied for teaching) a plurality of playback paths but instead discloses a **single AV stream** that may be identified in clips. *See, e.g.*, Kato, ¶ [0145]-[0150]. As such, the Playlist of Kato does not include any information for identifying multiple, associated playback paths, because there is only a single playback path in Kato. The Playlist of Kato similarly cannot identify a “playing interval” for “**a plurality of clip files**” each associated with the different playback paths, because multiple playback paths are not present in Kato. Even if Kato were modified with Sato to somehow include multiple playback paths, nothing in Kato or Sato suggests further inclusion of the identification of associated playback paths in Kato’s

Playlist. Thus, Kato lacks the “playitem” and “playlist files” as recited in claim 1 as amended, and would not meet the features of the same, even if modified with Sato.

Sato does not cure the differences between claim 1 and Kato, discussed above. Because Sato, alone or in combination with Kato, fails to teach or suggest each and every element of claim 1 as amended, these references cannot anticipate or render obvious claim 1. Similarly, claims 16 and 18-21 recite the same unique features of claim 1 discussed above and are thus allowable over Sato and Kato at least for reciting these features. Claims 2, 6, 7, 9, 17, 23-26, 29, 30, 32, 33, 37, and 44 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, and 37 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

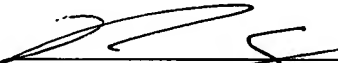
Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 2, 6, 7, 9, 16-18, 20, 21, 23-26, 29, 30, 32, 33, 37, and 44 in connection with the present application is earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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